

32692

Customer Number

PATENT  
Docket No.: 54404US008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

RAYMOND P. JOHNSTON, MATTHEW T.  
SCHOLZ, STEVEN B. HEINECKE and  
CHARLES A. HENTZEN

Serial No.: 09/961,091  
Filed: January 14, 2002

For: MEDICAL ARTICLE HAVING  
FLUID CONTROL FILM

Group Art Unit: 3772

Confirmation No. 6682

Examiner: M. Brown

**CERTIFICATE OF TRANSMISSION**

I hereby certify that this correspondence is being transmitted to the United States Patent and Trademark Office on and the date indicated below via the Office electronic filing system.

*April 22, 2008*

Date

*Judy L. Hansen*

Signature

Judy L. Hansen

**Request For Refund under 37 CFR § 1.26**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

The Response to the Office Action dated April 6, 2007, was received at the USPTO on September 6, 2007, as evidenced by the attached copy of the fax confirmation showing the USPTO date stamp. Accompanying the Response was a request for an extension and an authorization to charge to our account the proper fee for the extension. According to the dates of the Office Action and the Certificate of Transmission for our Response, it is our belief that a two-month extension fee was due. However our deposit account was charged for a three-month extension (\$1,020.00, under fee code 1253) on September 12, 2007. Therefore, it appears we were overcharged \$570.00, as the fee for a two month extension at that time was believed to be \$450.00.

A copy of the Deposit Account statement showing the overcharge is enclosed with the charge in question circled.

Please credit the refund of \$570.00 to Deposit Account No. 13-3723.

Respectfully submitted,



Michael G. Williams  
Registration No. 61,990  
Agent for Applicants

MGW:jlh/#449266 Request for Refund  
Office of Intellectual Property Counsel  
3M Innovative Properties Company  
P.O. Box 33427  
St. Paul, Minnesota 55133-3427  
(651) 736-7430  
Facsimile: (651) 736-3833

Dated: April 22, 2008

cc: Accounting

COMPANY :

Fax Sender at 6517334751

9/6/2007 11:05:42 AM [Eastern Daylight Time]

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Page

2007-Sep-16 10:04 AM FR 121 1998 11

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**RESPONSE UNDER 37 CFR 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP P: 3772**

Patent  
Case No.: 54190US008

32692  
Inventor(s)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

For US Patent Number: 5,125,000; Divisional of:  
Application No.: 7,796,091 Confirmation No.: 6682  
Filed: January 18, 2002  
Title: MEDICAL ARTICLE HAVING FLUID CONTROL FILM

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**AMENDMENT AND RESPONSE UNDER 37 CFR § 1.116**

PERIOD DATE OF MAILING OR TRANSMISSION (37 CFR § 1.103)  
It shall mail by first class postage paid or registered mail.

Mail Stop A9  
Communications for Patents  
P.O. Box 1450  
Alexandria, VA 22302-1450

☒ This response is submitted by electronic means to the United States Patent and Trademark Office via e-file system.

Sept. 6, 2007 Cassim Akmal  
Date Signed by Inventor(s)

Dear Sir:

This is in response to the outstanding Office Action, dated April 6, 2007, in the above-identified application.

Re:

( ) Any amendments made at the time of submission to the USPTO. In the event there are amendments, please indicate the nature of the amendments, and if necessary, provide a statement of reasons under 37 CFR 1.103(b) which may be required by the Patent Examiner (37 CFR 1.103(b)).

(X) Please indicate the date under 37 CFR 1.103(a)(1) which any fee required to Deposit must be paid (37 CFR 1.103(a)(1)) and copy of this filing as then deposited (encl. 24).

(X) Please also indicate the date for payment of the prosecution of the application (Deposit must be paid 37 CFR 1.103(a)(1)). The fee schedule includes the fee for any necessary extension of time under 37 CFR 1.103(a)(1). To the extent any such extensions are necessary, it is hereby requested.

(X) Please credit my correspondence to the same date as above.



United States  
Patent and  
Trademark Office

Deposit Account Statement

Requested Statement Month: September 2007  
Deposit Account Number: 133723  
Name: 3M INNOVATIVE PROPERTIES COMPANY  
Attention: MICHELE STENSGAARD  
Street Address 1: OFFICE OF PATENT COUNSEL  
Street Address 2: 3M CENTER P O BOX 33427  
City: ST PAUL  
State: MN  
Zip: 55133  
Country: UNITED STATES

DATE SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
09/12 74	11829637	62940US002	1051	\$130.00	\$193,269.86
09/12 7507	29283669	63531US002	1051	\$130.00	\$193,139.86
09/12 7613	29282885	63429US002	1051	\$130.00	\$193,009.86
09/12 1	09961091	54404US008	1253	\$1,020.00	\$191,989.86
09/12 10122	PCT/US07/78235	62221WO003	1601	\$300.00	\$191,689.86